

Message Text

CONFIDENTIAL

PAGE 01 STATE 180253 TOSEC 080195

65

ORIGIN ACDA-10

INFO OCT-01 ISO-00 SS-15 SSO-00 NSC-05 NSCE-00 CCO-00 /031 R

66619

DAFTED BY: ACDA/NWT:RMIKULAK, C:JKELLY

APROVED BY: ACDA/NWT:TDAVIES

S/S:LCJOHNSTONE

----- 009539

O 302324Z JUL 75 ZFF4

FM SECSTATE WASHDC

TO USDEL SECRETARY IMMEDIATE

C O N F I D E N T I A L STATE 180253 TOSEC 080195

FOLLOWING REPEATS MOSCOW 10676 ACTION DEPT INFO GENEVA

NATO JULY 30TH

QUOTE

C O N F I D E N T I A L MOSCOW 10676

DISTO FOR ADMIRAL DAVIES

E.O. 11652 XGDS-3 IMPOSSIBLE TO DETERMINE

TAGS: PARM, UN, CCD, UR, US

SUBJ:ENMOD--ILLUSTRATIVE DRAFT TREATY

REF: A. MOSCOW 10069, B. STATE 166634, C. GENEVA 4740

1. COUNSELOR KASHIRIN OF THE SOVIET MFA'S INTERNATIONAL ORGANIZATIONS DIVISION CALLED EMBOFF IN YESTERDAY TO DELIVER SOVIET REPLY TO U.S.-PROPOSED CHANGES IN DRAFT ENMOD TEXT. SOVIET NON-PAPER IS QUOTED IN UNOFFICIAL TRANSLATION IN PARA 2. BELOW. MAIN POINTS ARE AS FOLLOWS:

A. SOVIETS AGREE WITH PROPOSED CHANGE IN ARTICLE V PARA 4 AND TO THE SPELLING CORRECTIONS IN THE ENGLISH TEXT OF ARTICLES VI, VII, AND IX.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 180253 TOSEC 080195

B. IN ARTICLE II, THE SOVIETS AGREE IN PRINCIPLE TO

THE REVISION, BUT FOR THE SAKE OF CLARITY WOULD LIKE TO SUBSTITUTE "HYDROSPHERE" FOR "WATERS" AND TO PLACE THE REFERENCE TO "BIOTA" AFTER "ATMOSPHERE" SO THAT IT REFERS TO ALL THREE MEDIA. THE REVISED WORDING WOULD THUS REFER TO "...LITHOSPHERE, HYDROSPHERE, ATMOSPHERE INCLUDING BIOTA, OR OF OUTER SPACE..." KASHIRIN EXPLAINED THAT THE TWO SIDES HAD ALREADY AGREED THAT "EARTH" WAS EQUIVALENT TO "LITHOSPHERE."

C. THE SOVIET CANNOT, HOWEVER, AGREE TO OMIT THE WORD "MILITARY" FROM THE TITLE OF THE TREATY OR FROM ARTICLE I. THIS TERMINOLOGY, SAID KASHIRIN, HAD BEEN AGREED IN THE NIXON-BREZHNEV STATEMENT OF JULY 3, 1974 AND IN THE TALKS IN GENEVA. HE WENT ON TO SAY THAT THE SOVIET UNDERSTANDING OF THE OBJECTIVE OF THE TREATY WAS THE SAME AS THAT GIVEN IN THE U.S. EXPLANATION (REF B, PARA 2A), BUT THAT MOSCOW BELIEVED THE OMISSION OF THE WORD "MILITARY" MIGHT RAISE AMBIGUITIES ABOUT WHAT OTHER "HOSTILE" USES MIGHT BE IMPLIED. NEITHER SIDE, HE SAID, WISHED TO IMPLY THAT NON-MILITARY USES WERE INTENDED, OR MILITARY NON-HOSTILE USES (E.G., DISPERSING FOG).

D. THE SOVIETS PROPOSE MOVING "ANY" IN ARTICLE I TO MODIFY "HOSTILE" INSTEAD OF "MILITARY," SO THT THE PHRASE WOULD READ: "...ENGAGE IN MILITARY OR ANY OTHER HOSTILE USE."

2. QUOTE. THE SOVIET DELEGATION HAS CAREFULLY EXAMINED THE AMENDMENTS PROPOSED BY THE AMERICAN SIDE TO THE TEXT OF THE DRAFT CONVENTION AGREED UPON IN GENEVA.

THE SOVIET DELEGATION AGREES IN PRINCIPLE WITH THE PROPOSED CHANGES OFFERED TO THE TEXT OF ARTICLE II. HOWEVER, FROM A TECHNICAL POINT OF VIEW, IT CONSIDERS THAT THE OBJECTIVE OF THIS ARTICLE WOULD BE BETTER MET BY THIS TERMINOLOGY: "...LITHOSPHERE, HYDROSPHERE, ATMOSPHERE, INCLUDING BIOTA, OR OF OUTER SPACE...", NOTING THAT THE BIOTA APPLIES TO ALL THREE MEDIA.

THE SOVIET DELEGATION ALSO HAS NO OBJECTION TO
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 180253 TOSEC 080195

INCLUDING THE PROPOSALS OF THE AMERICAN SIDE TO ARTICLE V, PARAGRAPH 4, WHICH SUBSTITUTES FOR THE WORD "HARMED" THE WORDS "HARMED OR IS LIKELY TO BE HARMED".

CONCERNING THE AMENDMENTS PROPOSED BY THE AMERICAN SIDE WHICH WOULD HAVE THE EFFECT OF REMOVING FROM ARTICLE I, AND CORRESPONDINGLY FROM THE TITLE OF THE CONVENTION, THE WORD "MILITARY", THE SOVIE DELEGATION

CANNOT AGREE. THE OMISSION FROM ARTICLE I, WHICH ESTABLISHES THE GOAL OF THE PROHIBITIONS PROVIDED FOR BY THE CONVENTION, AND THE OMISSION FROM THE TITLE OF THE CONVENTION ITSELF OF A CLEAR AND DEFINITE REFERENCE TO THE PROHIBITION ON THE MILITARY USE OF ENVIRONMENTAL MODIFICATION WOULD NOT CORRESPOND TO THE TERMINOLOGY WHICH WAS AGREED UPON IN THE SOVIET-AMERICAN SUMMIT STATEMENT OF JULY 3, 1974. THE REMOVAL FROM THE DRAFT CONVENTION OF THE PROHIBITION OF MILITARY USES OF ENVIRONMENTAL MODIFICATION WOULD NOT BE UNDERSTOOD BY INTERNATIONAL SOCIETY.

THE SOVIET DELGATION DOES NOT SHARE THE CONCERN EXPRESSED BY THE AMERICAN SIDE CONCERNING THE POSSIBILITY OF AN INCORRECT INTERPRETATION OF THIS PROVISION IN THE SENSE THAT BY ITS VERY NATURE ANY MILITARY USE OF ENVIRONMENTAL MODIFICATION COULD BE REGARDED AS HOSTILE, SINCE THE AGREED TEXT OF ARTICLE I CLEARLY DEFINES THE SCOPE OF THE PROHIBITION AND LEAVES NO DOUBT THAT THE PROHIBITION APPLIES TO ENVIRONMENTAL MODIFICATION USED AS A MEANS OF WAGING WAR. IN AN EFFORT TO BE FORTHCOMING TO THE AMERICAN SIDE, HOWEVER, THE SOVIET DELEGATION IS PREPARED TO EXCLUDE FROM ARTICLE I THE WORD "ANY" BEFORE THE WORD "MILITARY" AND TO CHANGE THAT PORTION OF ARTICLE I TO THE FOLLOWING: "...NOT TO THREATEN MILITARY OR ANY OTHER HOSTILE...".

UNQUOTE.

3. KASHIRIN ASKED THAT THESE VIEWS BE CONVEYED URGENTLY TO THE U.S. DELEGATION, THAT ANY FURTHER QUESTIONS OR COMMENTS BE BROUGHT OUT NOW, AND THAT A REPLY BE GIVEN AS SOON AS POSSIBLE.

CONFIDENTIAL

CONFIDENTIAL

PAGE 04 STATE 180253 TOSEC 080195

4. COPIES OF NON-PAPER IN RUSSIAN BEING POUCHED TO EUR/SOV AND ACDA/IR.
MATLOCK UNQUOTE INGERSOLL

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TOSEC, ENMOD, AGREEMENT DRAFT, TEXT
Control Number: n/a
Copy: SINGLE
Draft Date: 30 JUL 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: KelleyW0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE180253
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X3
Errors: N/A
Film Number: D750263-0613
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t1975076/aaaaafrw.tel
Line Count: 158
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ACDA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 MOSCOW 10069, 75 STATE 166634, 75 GENEVA 4740
Review Action: RELEASED, APPROVED
Review Authority: KelleyW0
Review Comment: n/a
Review Content Flags:
Review Date: 13 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <13 JUN 2003 by CunninFX>; APPROVED <27 OCT 2003 by KelleyW0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: NM0D--ILLUSTRATIVE DRAFT TREATY
TAGS: PARM, UR, US, UN, CCD
To: SECRETARY
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006